

IN THE UNITED STATES COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

VS.

LEEANNA SCHROEDER
Defendant.

§
§
§
§
§
§
§

NO. 18-00293-CR-W-DGK

MOTION FOR RECONSIDERATION
PRETRIAL RELEASE

Defendant Leeanna Schroeder moves the Court to reconsider pretrial release and granting bond on her personal recognizance, and in support states:

LEGAL STANDARD

1. Pursuant to Rule 46(c) and 18 U.S.C. 3143 the burden of establishing that the defendant will not flee or pose a danger to the community rests with the defendant.
2. Pursuant to 18 U.S.C. 3142, 3143(2) the Court shall detain a defendant under the Controlled Substance Act which a maximum term of imprisonment includes ten years or more, unless, ... the Court finds by “clear and convincing evidence that the person is not likely to flee or pose a danger to any other person or the community.”

PROCEDURAL BACKGROUND

3. Ms. Schroeder has been in the custody since December 18, 2018 whereby at the defendant’s initial appearance the Court denied pretrial release based on the pending matters out of St. Louis and Lincoln County. But the Court instructed counsel to file a motion to reconsider if that status changed.

4. On April 4, 2019, St. Louis County Missouri case # 17SL-CR03422-01 against Ms. Schroeder was dismissed. (see attached exhibit)
5. On November 20, 2019, Lincoln County Missouri case # 18L6-CR00746 against Ms. Schroeder was dismissed. Essentially, the alleged criminal conduct in 18L6-CR00746 is the basis for the same alleged conduct in this case. (see attached exhibit)
6. Based on the amount of discovery, number of defendants, alleged criminal conduct, and case complexity, it is very likely that this matter will take a substantial period of time before the actual trial is concluded.
7. Ms. Schroeder is from the St. Louis area. Her immediate family resides in that area and is willing to provide her with a residential plan if she is granted pretrial release.
8. Ms. Schroeder has small children that need her attention and care.
9. Ms. Schroeder has no pending cases except this matter.
10. Ms. Schroeder has been made aware of pretrial conditions and is confident she can comply with any conditions the court may order.
11. Ms. Schroeder has no history of violence or danger to the community.
12. Ms. Schroeder is without financial means to be considered a flight risk.
13. Counsel has not yet heard back from the government and is unaware of its position to this motion.

CONCLUSION

Ms. Schroeder has been detained since December 18, 2018. She was arrested on that date without incident. Her two pending matters in the St. Louis area have been dismissed and no warrants or pending matters exist. She has close family ties that can provide a residential plan and supportive living environment so she can gain employment and be with her young children. Finally, she poses no threat to the community or absconding.

For the foregoing reasons, Ms. Schroeder moves the Court to reconsider pretrial release based on her personal recognizance and further request a hearing if government counsel objects.

Respectfully submitted,

/S/ CYNTHIA M. DODGE

Cynthia M. Dodge
312 SW Greenwich Drive, #10
Lee's Summit, MO 64082
MO#47754 KS#78371
(816) 246-9200
FAX (816) 246-9201
cindy@cdodgelaw.com
ATTORNEY FOR DEFENDANT

CERTIFICATE REGARDING SERVICE

I hereby certify that it is my belief and understanding that counsel for plaintiff, and counsel for the co-defendants in this matter are participants in the Court's CM/ECF program and that separate service of the foregoing document is not required beyond the Notification of Electronic Filing to be forwarded on November 22, 2019 upon the filing of the foregoing document.

/s/ Cynthia M. Dodge

CYNTHIA M. DODGE

STATE OF MISSOURI,)	Date: April 4, 2019
)	
Plaintiff,)	
)	Cause No.: 17SL-CR03422-01
vs.)	
)	
)	Division No. 09
Leeanna Schroeder ,)	
Defendant.)	

/s/ Brooke Hurst

Brooke Hurst, MBE# 65547
Assistant Prosecuting Attorney
Phone (314) 615-2600

Attorney
Phone

**IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSOURI
ASSOCIATE JUDGE DIVISION 2
45TH JUDICIAL CIRCUIT**

**STATE OF MISSOURI,
Plaintiff,**

vs.

**LEEANNA SCHROEDER,
Defendant.**

)
)
)
)
)
)
)
)
)
)

) Case No. 18L6-CR00746

DISMISSAL

COMES NOW the State of Missouri, Plaintiff, by and through Michael L. Wood, Prosecuting Attorney of Lincoln County, and hereby dismisses the above matter without prejudice.



Michael L. Wood, Bar # 60652
Prosecuting Attorney
P. O. Box 319
Troy, MO 63379
(636) 528-8571

I undersigned certifies that on November 20, 2019, I electronically filed the foregoing with the Clerk of Lincoln, Missouri Court, using Missouri eFiling System.



Michael L. Wood